



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **C-1**

January 20, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION AUTHORIZING
REPAIR OF DAMAGED ROADS
AND FLOOD CONTROL FACILITIES
THROUGH EMERGENCY CONSTRUCTION
AND SERVICE CONTRACTING AND
REQUEST APPROPRIATION ADJUSTMENT
TO THE ROAD FUND
ALL SUPERVISORIAL DISTRICTS
4 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD AS THE GOVERNING BODY OF THE
COUNTY OF LOS ANGELES AND OF THE LOS ANGELES COUNTY FLOOD
CONTROL DISTRICT:**

1. Find that the projects authorized in the Resolution for Emergency Work are exempt from the provisions of the California Environmental Quality Act.
2. Find that the public interest and necessity demand immediate action to repair storm damage to road facilities to restore access to residents and businesses and to repair flood control facilities at various locations to prevent flood damage should additional storms occur.

3. Adopt the enclosed Resolution in the form previously approved by County Counsel and, pursuant to Section 22050 of the Public Contract Code, authorize the Acting Director of Public Works to negotiate and execute contracts on behalf of the County, in an amount not to exceed a total of \$20 million to procure the necessary equipment, services, and supplies for the repairs necessary to roads and flood control facilities in order to restore access to residents and businesses and to prevent potential flooding.
4. Delegate authority to the Acting Director of Public Works, pursuant to Section 2.68.090 of the County Code, to amend current service contracts to add additional vendors and, when necessary, increase the contracts' maximum sum, and/or to negotiate, enter into, and to fund new short-term service contracts to provide services to repair storm-related damage to our road and flood control facilities. These new short-term service contracts will terminate no later than June 30, 2005.
5. Approve the enclosed request for Appropriation Adjustment for the Road Fund.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recent heavy rainfall has resulted in significant damage to numerous roads and highways particularly in the northern and western portions of the County. The closure of these roads is severely impacting residents and businesses and has also significantly increased the traffic on routes which remain open. In addition, timely access by emergency vehicles has been adversely impacted. Also, several debris basins have been significantly impacted by large debris inflows. Failure to remove this debris could result in damage to downstream properties should additional storms occur. Repair of the damaged roads and flood control facilities will require contracting for additional resources. To expedite the award of such contracts, we are recommending that your Board authorize the Acting Director of Public Works to negotiate and execute contracts on behalf of the County for the construction of necessary repairs to the County's roads and flood control facilities as allowed by Section 22050 of the Public Contract Code.

A description of the recommended emergency road and flood control repair projects is included in the enclosed Attachment.

Each year, Public Works contracts with vendors for a variety of services to maintain our diverse sites and facilities. Such services include, but are not limited to, haul trucks,

tree trimming, landscaping, jetting services, and hazardous materials. The recent storm damage is placing unanticipated demands on these contracts. Of immediate concern is our haul trucks program. Due to the present high demand for these trucks throughout the region, our current contract vendors are not able to fully meet our present requirements. Overcoming this shortage may require importing equipment from areas outside of those impacted by the recent rainstorms. This will likely require paying higher rates than those specified in our current contracts. Therefore, we are asking your Board for authority to negotiate new haul truck contracts as well as for other service contracts utilizing informal competitive bidding processes in order to successfully make repairs to our facilities in a timely manner.

As an interim and immediate action to address the emergency requirement for haul truck services, we elected the assistance of the Internal Services Department to facilitate the issuance of an emergency purchase order under the statutory authority of the County Purchasing Agent, pursuant to Government Code Section 25502.7, to cover these critical services until we could return to your Board, for the period between January 19, and January 25, 2005.

As a result of the emergency operations, costs for overtime, contracts, equipment, and materials will exceed our authorized Services and Supplies Appropriation. Additional appropriation authority in the amount of \$10 million is required in the Road Fund Services and Supplies Appropriation to cover additional costs that will be incurred for emergency operations and subsequent condition repairs. On January 15, 2005, Governor Schwarzenegger proclaimed a state of emergency for the County of Los Angeles and six other counties in California. Public Works is currently working with the State Office of Emergency Services to complete the field damage assessments in order to qualify for State disaster assistance.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Goal of Service Excellence as it provides rapid repair of storm damage to critically needed infrastructure in a highly responsive manner.

FISCAL IMPACT/FINANCING

The estimated total cost of the repair work needed because of the storms is \$38 million for road repairs and \$16 million for flood control facilities. An Appropriation Adjustment is necessary to increase our Services and Supplies Appropriation in the Road Fund for the current fiscal year. The requested increase in Services and Supplies Appropriation

will be financed with \$10 million in Road Fund Appropriation for Contingencies, and the remaining work will be financed with current budgeted revenue that was originally programmed for nonemergency road construction projects that will now be deferred. The Flood Control District will finance the emergency repair work by also deferring nonemergency flood construction projects and utilizing current budgeted revenue.

Public Works will pursue reimbursement for any costs that become eligible as a result of an official declaration of emergency by the Office of Emergency Services and potentially the Federal Emergency Management Agency.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The plans and specifications for the repairs will include the contractual provisions, workmanship standards, and equipment requirements necessary for the prosecution of these projects. The contract agreements will be in the form previously approved by County Counsel.

Section 22050, Emergency Contracting Procedures of the Public Contract Code, provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of the governing body, may take any directly related and immediate action required by that emergency and procure the necessary equipment, services, and supplies for those purposes without advertising for bids prior to awarding contracts. Before taking any such action, the public agency shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids and that the action is necessary to respond to the emergency. The governing body, by a four-fifths vote, may delegate to the Acting Director of Public Works the authority to order any action required by that emergency. Adoption of the enclosed Resolution fulfills the requirements of the Public Contract Code.

Section 25502.7 of the Government Code authorizes your Board, whenever it has proclaimed a local emergency, that it may direct the purchasing agent to engage independent contractors to perform services related to the local emergency with or without furnishing of materials within the amounts your Board may establish.

County Code, Section 2.68.090, Emergency Services, Delegation of Powers, authorizes your Board to delegate to various County officers powers, functions, and duties as determined to be necessary to respond to a declared emergency.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act requires public agency decision makers to document and consider the environmental implications of their actions. As emergency projects, the proposed projects are statutorily exempt pursuant to Section 21080(b)(3) of the California Environmental Quality Act and Section 15269(a) of the California Environmental Quality Act guidelines.

Upon approval of the recommended action by your Board, Public Works will file a Notice of Exemption with the County Clerk in accordance with the requirements of Section 21152(b) of the California Public Resources Code. A \$25 handling fee will be paid to the County Clerk for processing.

CONTRACTING PROCESS

This work will be contracted on a negotiated basis following the compilation of a short list of qualified contractors.

The project specifications will contain provisions (1) requiring the contractors to comply with the County's Child Support Compliance Program, (2) requiring the contractors to report solicitations of improper considerations by County employees and allowing the County to terminate the contract if it is found that the contractors offered or gave improper consideration to County employees, (3) requiring the contractors to comply with the requirements of the Contractor Employee Jury Service Program, and (4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications will also contain a provision that, should the contractors require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, contractors will be required to report False Claims Act violations, labor law/payroll violations, debarments, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before awarding contracts.

The Honorable Board of Supervisors
January 20, 2005
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

Contracting for these services will supplement County forces and expedite the necessary repairs as quickly as possible. If this work is not executed, the repair work will be prolonged thereby prolonging the inconvenience and risk to residents and businesses.

CONCLUSION

Please return one approved copy of this letter, the Resolution, and the Appropriation Adjustment to Public Works. Also, please forward one copy of the Appropriation Adjustment to the Auditor-Controller.

Respectfully submitted,

DONALD L. WOLFE
Acting Director of Public Works

DAJ:tn
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Enc.

cc: Chief Administrative Office
County Counsel
Internal Services Department

ATTACHMENT

RESOLUTION AUTHORIZING EMERGENCY REPAIR OF COUNTY ROADS AND FLOOD CONTROL FACILITIES CAUSED RECENT BY STORMS PROJECT DESCRIPTIONS

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Roadway Projects

1. **Mt. Baldy Road**
Removal of slide material, mud, and debris from debris basins and culverts at various locations along Mt. Baldy Road. Cost estimate is \$500,000.
2. **Santa Anita Canyon Road**
Removal of slide material and road failure repairs at various locations along Santa Anita Canyon. The Cities of Sierra Madre, Arcadia, and Monrovia may wish to participate in this emergency contract work. Cost estimate is \$1,000,000.
3. **Las Flores Canyon Road**
Immediately south of Hume Road, outboard shoulder is failing. Cracks in pavement indicate that the pavement edge will have to be restored for a length of approximately 125 feet. There are overhead power lines that will need to be deenergized during installation of a soldier pile wall. Cost estimate is \$1,200,000.
4. **Maguire Drive at CM 0.21 and 4096 Maguire Drive**
Outboard slope is failing in several locations including below the culvert. Failure has expanded above the culvert, and the asphalt concrete inverted shoulder will require rebuilding. Cost estimate is \$500,000.
5. **Saddle Peak Road east of Schueren Road**
Removal of slide material at three locations. Cost estimate is \$1,700,000.
6. **Schueren Road south of Saddle Peak Road**
Removal of slide material at two locations and roadway restoration. Benching and earthen keys will be required. Cost estimate is \$2,600,000.
7. **Hillside Drive near Summit Road (west of Topanga Canyon Boulevard)**
Removal of slide material. Cost estimate is \$1,100,000.
8. **Latigo Canyon Road at MM 2.08**
Clear and repair plugged culvert. Severely eroded fill bank will also need repair. Cost estimate is \$500,000.

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RESOLUTION AUTHORIZING EMERGENCY REPAIR OF COUNTY ROADS AND FLOOD CONTROL FACILITIES CAUSED RECENT BY STORMS PROJECT DESCRIPTIONS

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9. **Malibu Drive**
Removal of slide material. Cost estimate is \$250,000.
10. **Las Flores Heights**
Removal of slide material. Cost estimate is \$250,000.
11. **Lake Hughes Canyon Road - Camp Munz to Pine Canyon Road**
Replace damaged board walls with riprap, and restore edge of pavement and missing shoulders. Cost estimate is \$500,000.
12. **San Francisquito Canyon Road - Low Ridge to Dry Gulch**
Restore pavement and shoulders. Add shoulder protection (riprap) along sections subject to erosion. Open and pave the San Francisquito realignment section - possible solution includes constructing a bridge over the creek and abandon the section of road adjacent to the creek which is occupied by the red legged frog. Cost estimate is \$4,000,000.
13. **Tapia Canyon Road**
Restore entire road that was washed away. Cost Estimate is \$1,000,000.
14. **Templin Highway**
Clear and repair plugged culverts. Cost estimate is \$200,000.
15. **Bouquet Canyon Road**
Restore washed out roadway, reestablish creek away from the roadway, and repair damaged pavement locations. Cost estimate is \$3,000,000.
16. **Lake Hughes Canyon Road south of Warm Springs**
Removal of slide material. Approximately 40,000 cubic yards of material to clear. Cost estimate is \$500,000.
17. **Three Points Road - Pine Canyon Road to Highway 138**
Restore roadway and shoulders and add shoulder protection (riprap) along those sections subject to erosion. Cost estimate is \$600,000.
18. **Arrastre Canyon Road**
Restore roadway and repair culverts and shoulder protection. Cost estimate is \$100,000.

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RESOLUTION AUTHORIZING EMERGENCY REPAIR OF COUNTY ROADS AND FLOOD CONTROL FACILITIES CAUSED RECENT BY STORMS PROJECT DESCRIPTIONS

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18.

Flood Control Projects

Remove deposited sediment from critically full debris basins and inlets including Winery Debris Basin, Sunset Lower Debris Basin, PD 2049, PD 1920, PD 2275, PD 2387, and PD 1386. Cost estimate is \$2,000,000.

**A RESOLUTION AUTHORIZING THE ACTING DIRECTOR OF PUBLIC WORKS TO
PROCURE EQUIPMENT, SERVICES, AND SUPPLIES NECESSARY TO REPAIR
AND REPLACE PUBLIC ROAD AND FLOOD CONTROL FACILITIES DAMAGED BY
THE RECENT STORMS, ON BEHALF OF THE COUNTY OF LOS ANGELES AND
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT**

WHEREAS, on January 10, 2005, a local emergency (Emergency) was proclaimed as a result of the severe winter rainstorms that occurred during early January 2005, which caused conditions of extreme peril to the safety of persons and property in cities and unincorporated areas of Los Angeles County including mudslides, flooding and damage to roads, flood control facilities, and other public and private property; and

WHEREAS, the damage to roads has seriously impaired access to many residents and businesses throughout the County and must be repaired as soon as possible to restore access; and

WHEREAS, the damage to the affected flood control facilities must be repaired as quickly as possible in order to minimize the risk of flooding from future rainstorms; and

WHEREAS, Section 22050 of the Public Contract Code authorizes a public agency, in the case of an emergency and pursuant to a four-fifths vote of its governing body, to procure the equipment, services, and supplies necessary to repair or replace public facilities without giving notice for bids to let contracts.

NOW, THEREFORE, THE BOARD OF SUPERVISORS, AS THE GOVERNING BODY OF THE COUNTY OF LOS ANGELES AND OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The Emergency will not permit a delay resulting from a competitive solicitation for bids, and the immediate repair and replacement of the road and flood control facilities described in the Attachment is necessary to respond to the Emergency.
2. The Acting Director of Public Works is hereby authorized to negotiate contracts, without advertising for bids, for the repair or replacement of damaged roads, in an amount not to exceed a total of \$18,000,000, on behalf of the County, and for the repair or replacement of damaged flood control facilities, in an amount not to exceed a total of \$2,000,000, on behalf of the Los Angeles County Flood Control District, and to prepare and execute these contracts in the form previously approved by County Counsel.

The foregoing Resolution was on the ____ day of _____, 2005, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio as the governing body of the Los Angeles County Flood Control District and all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By _____
Deputy

REQUEST FOR APPROPRIATION ADJUSTMENT
DEPARTMENT OF PUBLIC WORKS

NO. 690

January 20, 2005

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO
 ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR

ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2004-05
4-VOTE BUDGET ADJUSTMENT

SOURCES

Department of Public Works
 Appropriation for Contingencies (3303)
 B03- PW-47000- 3303- \$10,000,000

USES

Department of Public Works
 Services and Supplies (2000)
 B03-PW-47000-2000- \$10,000,000

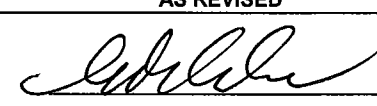
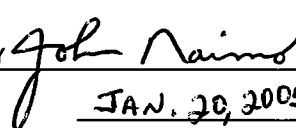
JUSTIFICATION

In accordance with the attached Board letter, this adjustment is necessary to provide funding in the Road Fund to pay for emergency repair work to County roads for damage that resulted from the December and January storms.



DONALD L. WOLFE, Acting Director

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR---	ACTION	APPROVED AS REQUESTED <input checked="" type="checkbox"/>	AS REVISED
	<input checked="" type="checkbox"/> RECOMMENDATION	JAN. 20, 2005	 CHIEF ADMINISTRATIVE OFFICER
AUDITOR-CONTROLLER BY  NO. 242	JAN. 20, 2005	APPROVED (AS REVISED): BOARD OF SUPERVISORS	BY _____ DEPUTY COUNTY CLERK